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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/518,605	07/21/2005	Dmitry Alexandrovich Gertner	G58.12-0001	5277

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EXAMINER

CHAI, LONGBIT

ART UNIT	PAPER NUMBER
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2131

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/06/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/518,605

Applicant(s)

GERTNER, DMITRY
ALEXANDROVICH

Examiner

Longbit Chai

Art Unit

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 56-72 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 56-72 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 73 and 74 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>7/21/2005</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Preliminary Amendment

1. Examiner acknowledges Preliminary Amendment for the claims filed 12/17/2004. Applicants have cancelled original claims 1 – 55 and added new claims 56 – 74. The submitted amendments have been entered and made of record. Presently, pending claims are 1 – 74.

Election of Restriction Requirement

2. Applicant's election of Group I filed on 12/28/2006 with respect to restriction requirement mailed on 11/27/2006 is acknowledged and accordingly, this Office Action only addresses the claimed inventions of Group I as elected by Applicant. The elected claims of Group I includes claims 56 – 72.

Specification

4. The abstract of the disclosure is objected to because the abstract paragraph exceeds 150 words (check for legalese, 1 paragraph, <150 words). Correction is required. See MPEP § 608.01(b).

Claim Objections

3. Claim 56 is objected to because of the following informalities: (a) "wherein record is carried out" as recited in the 1st limitation of claim 56 should be "wherein recording is

Art Unit: 2131

carried out”; (b) “and modifying said programs, as well as personal data of a user and other attributes” is suggested to be amended as “and modifying said programs, personal data of a user ... and other attributes” due to a lengthy and winding claim limitation; (c) “by check for absence of distortions” as recited in the 7th limitation of claim 56 should be “by checking for absence of distortions” .

Appropriate corrections are also required for claims 62 and 68.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 56, 62 and 68 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 56 is indefinite because of the following unclear claim languages:

- The claim language “the earlier received information” as recited in the 3rd limitation of claim 56 is considered to be unclear in its meaning and its context about which particular earlier received information.
- The claim language “in accordance with a user’s command to generate a non-copied electronic document, including a command in the service information, said command being intended for” as recited in the 3rd

limitation of claim 56 is considered to be unclear what "said command" the Applicant is exactly referred to – either (a) the user's command or (b) the command included in the service information.

- The claim language "disabling it for a predetermined time period" as recited in the 6th limitation of claim 56 is considered to be unclear what and how to be disabled for a predetermined time period that the Applicant is exactly referred to – i.e. (a) the transmission to be disabled or (b) the access of document to be disabled.
- The claim language "disabling said document for the predetermined time period" as recited in the 7th limitation of claim 56 is considered to be unclear what exactly disabling said document that the Applicant is exactly referred to – i.e. (a) disabling the transmission or (b) disabling the access of document.
- The claim language "deleting the electronic document from the PROM of the personal cryptoprotective complex" as recited in the 10th limitation of claim 56 is considered to be unclear which entity deleting the electronic document from the PROM of the personal cryptoprotective complex because it appears the sender should delete the electronic document from the PROM of the personal cryptoprotective complex due to the failure of receiving ACK from the recipient. However, this assertion is self-contradicted to the claim limitation as recited in the 9th limitation of claim

Art Unit: 2131

56 such as "enabling the electronic document from the PROM of the personal cryptoprotective complex of the sender".

- The claim language "the earlier inputted information and" as recited in the very last limitation of claim 56 is considered to be unclear in its meaning and its context about which particular earlier inputted information that the Applicant is exactly referred to.
- Similar corrections should also be applied to claims 62 and 68 and their associated dependent claims.

Allowable Subject Matter

5. Claim 56 (and 62, 68) would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

The following is an examiner's statement of reasons for allowance: The present invention is directed to a method for transmission of information with protection against copying with use of a personal cryptoprotective complex. Each elected independent claim (Griup I) receiving the electronic-document-loading-acknowledgement password in the personal cryptoprotective complex of the sending party from the recipient within the first time period T1, generating an electronic-document-transmission-acknowledgement password from the sender; in case if the user acknowledges the sending of the password during the second time period T2, sending the present password in the encrypted form to the recipient, wherein said electronic document is automatically deleted from PROM of the the sender, and said electronic document is

Art Unit: 2131

automatically enabled in the PROM of the recipient when said electronic-document-transmission-acknowledgement password has been received, followed by inputting user's commands, processing the decrypted information according to the user's commands received from the service information and according to the earlier inputted information and the information processing program, and outputting the processed information to the user together with service symbols that authenticate attributes of the received electronic document. The closest prior art, U.S. Pattern 7,093,015 and U.S. Pattern 5,671,279, fails to anticipate or render obvious the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Longbit Chai whose telephone number is 571-272-3788. The examiner can normally be reached on Monday-Friday 8:00am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2131

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Longbit Chai
Examiner
Art Unit 2131

LBC



CHRISTOPHER REVAK
PRIMARY EXAMINER

